UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,452	04/08/2004	Keith A. Fotta	3682.1001-000	7277

21005   7590   03/17/2011
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER
GAY, SONIA L

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
03/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/820,452	FOTTA ET AL.
	Examiner	Art Unit	
	SONIA GAY	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 December 2010*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *See Continuation Sheet* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-11,13 - 18, 20-37, 39 - 43, 45 - 60, 62 - 65, 67 - 81, 83 - 85, and 87 - 103* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *12/16/2010, 07/12/2010*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 1-11,13 - 18, 20-37, 39 - 43, 45 - 60, 62 - 65, 67 - 81, 83 - 85, and 87 - 103.

DETAILED ACTION

1.   This action is in response to RCE and Amendment filed 12/16/2010. The text of those

sections of Title 35, U.S. Code not included in the action can be found in a prior Office action.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on December 16, 2010 has been entered.

Response to Amendment

3.   Applicant's amendment filed on December 16, 2010 has been entered. Claims 1, 27, 52,

53, 74, 94, 95, 97, and 98 have been amended. No claims have been canceled. No claims have

been added. Claims 1 -11, 13 – 18, 20 – 37, 39 – 43, 45 – 60, 62 – 65, 67 – 81, 83 – 85 and 87 –

103 are still pending in this application, with claims 1, 27, 52, 53, 74, 94, 95, 97, and 98 being

independent.

Claim Rejections - 35 USC § 103

4.   Claims 1 – 11, 13 – 18, 20 – 37, 39 – 43, 45 – 52, 97, 99, and 100 are rejected under 35

U.S.C. 103(a) as being unpatentable over Garfinkel (US 6,330,317) in view of Goodman (US

2005/0177599).

For claims 1, 27, 52, and 97, Garfinkel discloses a control system with means, method, and computer readable medium (block/complete algorithm operating on computer, column 5 lines 35 – 37) for selectively prohibiting a communications connection between an origin and destination within a communications network, the system comprising: at least one list of prohibited destination identifiers (Fig.3, 46, 47, 48 and column 5 lines 54 – column 6 line 2); at least one list of exempted destination identifiers (Fig.3, 49 and column 6 lines 2 – 11);   a control unit that prohibits or allows the communications connection between the origin and destination based on one or more mediation rules and the lists of prohibited and exempted destination identifiers (control computer, column 5 lines 24 – 28, 35 – 39).

Yet, Garfinkel fails to teach the list of exempted identifiers including a date of contact associated with the each exempted destination identifier, the date of contact corresponding to a business transaction or inquiry by a customer associated with the exempted destination identifier; and, the control unit determining whether to allow communications connection depending on a duration that the particular exemption is valid from the date of contact.

However, Goodman discloses an improved system and method for the purpose of complying with anti-spam laws, rules, and regulations wherein a preexisting business relationship is tracked by storing the time and date of a last communication made by a potential message recipient, with the stored date and time being compared to a time limit prescribed by anti-spam rules, laws, and regulations to determine if a recipient can receive a new message from the sender even if the recipient is included on a do-not-send list (Abstract; [0008] [0009] [0011] [0026 - 0029] [0031 - 0033] [0041]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to improve the method of determining compliance with anti-contact laws,

rules, and regulations disclosed above in Garfinkel by applying the teachings of Goodman so that

a date and time of the last contact made by a potential contact recipient is stored with the

recipient's entry in database, wherein this recipient's entry can be associated with an exemption

list and the date and time of previous contact is compared to a predefined time limit to determine

if the preexisting relationship is valid for the purpose of reducing the potential costs to business

for violating these mandated anti- contact laws, rules, and regulations (Goodman, [0005]).

For claims 2 and 28, Garfinkel further discloses wherein the origin and destination are

each a communications device directly or indirectly connected to the communications network.

(Garfinkel, column 4 lines 33 - 36; 38 - 42).

For claims 3 and 29, Garfinkel further discloses wherein the communications device is

any one of a telephone, cellular telephone, personal digital assistance, pager, computer, client

interface, and remote computer terminal (Garfinkel, column 4 lines 33 - 36; 38 - 42).

For claims 4 and 30, Garfinkel further discloses a connection unit that receives or

initiates a request for a communications connection between an origin and destination, the

request including the destination identifier; the connection unit capable of sending a request to

the control unit and receiving an order from the control unit to prohibit or allow the

communications connection (Garfinkel, column 4 lines 42 – 52; column 5 lines 5 – 17, 18 – 24).

For claims 5 and 31, Garfinkel further discloses wherein the connection unit is any one of

an Interactive Voice Response application, a predictive dialer server, a distributed predictive

dialer system, a switch, router, and an electronic mail server (Garfinkel, switch, Fig. 1, 13 and

14 and column 4 lines 30 - 42).

For claims 6 and 32, Garfinkel further discloses wherein the connection unit establishes a

communications connection between an origin and destination (Garfinkel, column 4 lines 33 –

42).

For claims 7 and 33, Garfinkel further discloses wherein the destination identifier is a

communications device address (Garfinkel, destination number dialed by handset, column 4

lines 33 - 36; 38 - 42).

For claims 8 and 34, Garfinkel further discloses wherein the device address is any one of

a telephone number, Internet Protocol address, Internet Domain Name, and an electronic mail

address (Garfinkel, destination number dialed by handset, column 4 lines 33 - 36; 38 - 42).

For claims 9 and 35, Garfinkel further discloses wherein the lists are contained within

one or more tables of one or more databases (Garfinkel, column 5 lines 37 – 39).

For claims 10 and 36, Garfinkel further discloses wherein the lists of prohibited

destination identifiers are derived from any one or a combination of a Federal Do-Not-Call list, a

State Do-Not-Call list, a DMA list, Wireless do-Not-Call list, a client internal list, and a Very

Important Person list (Garfinkel, column 5 lines 54 – column 6 line 2).

For claims 11 and 37, Garfinkel discloses the claimed invention above and further

discloses wherein the lists of exempted destination identifiers are derived from any one or a

combination of an Existing Business Relationship (EBR) exemption list, Do-Not-Call exemption

lists, State Do-Not-Call exemption list, a VIP exemption list, and other exemption list (Garfinkel,

column 6 lines 3 –11)

For claim 13, Garfinkel further discloses wherein the mediation rules comprise a sequence of comparisons made between a destination identifier and one or more lists of exempted and prohibited identifiers (Garfinkel, column 6 lines 12 – 49).

For claims 14 and 39, Garfinkel further discloses wherein each comparison with a list of exempted identifiers determines whether the comparison with an associated list or lists of prohibited destination identifiers is bypassed or ignored (Garfinkel, column 6 lines 31 – 41)

For claims 15 and 40, Garfinkel further discloses wherein the prohibited and exempted destination lists are capable of being modified from the origin (Garfinkel, column 7 lines 36 – 52).

For claims 16 and 41, Garfinkel further discloses wherein the prohibited and exempted destination lists are capable of being modified from a secondary interface (Garfinkel, column 8 lines 48 –66; column 9 lines 14 - 16).

For claims 17 and 42, Garfinkel further discloses wherein the control unit is a computer server that resides on the premises of any one of a client, a local exchange carrier, local administration facility, central administration facility, and other remote facility (Garfinkel, central administration facility, column 3 lines 6 – 15).

For claims 18 and 43, Garfinkel further discloses wherein the control unit interfaces with local prohibited and exempted destination lists; the local prohibited and exempted destination lists being periodically synchronized with other prohibited and exempted destination lists; the other prohibited and exempted destination lists being remotely located at another facility such as a local administration facility, local exchange carrier, central administration facility, or other facility (Garfinkel, column 4 lines 10 - 14; column 8 lines 36 - 41).

For claims 20 and 45, Goodman further discloses wherein the control unit within a client computer remotely access the prohibited and exempted lists within a central administration facility (Goodman, [0032] [0040] [0042]).

For claims 21 and 46, Garfinkel further discloses wherein prohibited and exempted destination lists may be dynamically added or removed and the mediation rules updated to flexibly adapt the system to continuously support new connection prohibition rules (Garfinkel, column 7 lines 36 – 46).

For claims 22 and 47, Garfinkel further discloses wherein a plurality of destination identifiers are examined in relation to a particular origin to determine whether to prohibit or allow a communications connection between the origin and each destination of the plurality of destinations (Garfinkel, column 1 lines 12 – 16; column 5 lines 5 – 28).

For claims 23 and 48, Garfinkel discloses the claimed invention above and further discloses wherein a client user is identified and authenticated (Garfinkel, column 6 lines 13 – 20).

For claims 24 and 49, Garfinkel further discloses wherein the control unit, based on the mediation rules, uses additional client and customer information to determine whether to prohibit or allow a communications connection (Garfinkel, column 5 lines 37 – 45; column 6 lines 13 – 20)

For claims 25 and 50, Garfinkel further discloses wherein the information includes any one or combination of a client user identifier, client identifier, customer identifier, client office identifier, product identifier, geographic area, date, time, exemption type duration, origin

identifier, internal client criteria, and internal customer criteria (Garfinkel, CN, customer

identification code or number, column 5 lines 39 – 42).

For claim 26 and 51, Garfinkel further discloses wherein logs of prohibited, allowed, and

improper destination identifiers or a combination thereof are generated (Garfinkel , column 7

lines 55 – column 8 line 18).

For claims 99 and 100, Goodman further discloses wherein the mediation rules are

specific to a particular client (Goodman, [0028] [0040] [0042]).

5.   Claims 53 – 60, 62 – 65, 67- 81, 83-85, 87 - 94, 98, 101, and 102 are rejected under 35

U.S.C. 103(a) as being unpatentable over Fergusson et al. (US 2003/0212566), in view of

Garfinkel (US 6,330,317), and further in view of Goodman (US 2005/0177599).

For claims 53, 74, 94, and 98, Fergusson et al. discloses an analysis system with means ,

method, and computer readable medium ([0008] [0036-0038]) for selectively designating

whether a communications connections between an origin and one of more destinations are

prohibited, the system and method comprising: an interface unit that receives one or more

proposed destination identifiers (manual input interface of broker/dealer interface, Fig.1, 32,

Fig.2, 72; [0009] [0046] [0055] [0083]); at least one list of prohibited destination identifiers

(DNC listings, Fig.2, 68a, 68b, 68c, 70, 72a; [0044] [0045]); a set of exempted destination

identifiers (on DNC list but with prior relationship, Fig.9; [0048 - 0052]); and, an analysis unit (

DNC handler block, Fig.2, 62; [0044]) that designates whether the communications connection

between an origin and one or more proposed destinations are prohibited or allowed based on one

or more mediation rules and the lists of prohibited destination identifier, the analysis unit

determining whether to apply a particular exemption to allow the communications depending on

a duration that a particular exemption is valid from a date of contact ([0048 - 0052] [0073 -

0076] [0084 - 0092]). Yet, Fergusson et al. fails to teach at least one list of exempted destination

identifiers including a date of contact associated with each exempted destination identifier, the

date of contact corresponding to a business transaction of inquiry by a customer associated with

the exempted destination identifier.

However, Garfinkel discloses a control system and method for the purpose of selectively

prohibiting a communications connection between an origin and destination within a

communications network comprising at least one list of prohibited destination identifiers and at

least one list of exempted destination identifiers stored within databases (Fig.3, 46, 47, 48 49;

column 5 lines 35 - 6 line 11).

Additionally, Goodman discloses an improved method and system for the purpose of

complying with anti-spam laws, rules, and regulations wherein a preexisting business

relationship is tracked by storing the time and date of a last communication made by a potential

message recipient, with the stored date and time being compared to a time limit prescribed by

anti-spam rules, laws, and regulations to determine if a recipient can receive a new message from

the sender even if the recipient is included on a do-not-send list (Abstract; [0008] [0009] [0011]

[0026 - 0029] [0031 - 0033] [0041]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the teachings of Fergusson et al. with the teachings of Garfinkel

so that the exempted identifiers disclosed above in Fergusson et al. which are stored within a

database can be further compiled into a exempted list stored within the database for the purpose

of reducing the time required to conduct a search by organizing the data in the database into

readably accessible data structures.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to improve the method of determining compliance with contact laws, rules,

and regulations disclosed above in the combined teachings of Fergusson and Garfinkel by

applying the teachings of Goodman so that a date and time of the last contact made by a potential

contact recipient is stored with the recipient's entry in database, wherein this recipient's entry can

be associated with an exemption list and the date and time of previous contact is compared to a

predefined time limit to determine if the preexisting relationship is valid for the purpose of

reducing the potential costs to business for violating these mandated anti- contact laws, rules, and

regulations (Goodman, [0005]).

For claims 54 and 75, Fergusson et al. further discloses wherein the origin and destination

are each a communications device directly or indirectly connected to the communications

network. (Fergusson et al., [0038] [0093 - 0096] [0118]).

For claims 55 and 76, Fergusson et al. further discloses wherein the communications

device is any one of a telephone, cellular telephone, personal digital assistance, pager, computer,

client interface, and remote computer terminal (Fergusson et al., [0038] [0093 – 0096] [0118].

For claims 56 and 77, Fergusson et al. further discloses wherein the destination identifier

is a communications device address (Fergusson et al., [0041] [0093 – 0096]).

For claims 57 and 78, Fergusson et al. further discloses wherein the device address is any one of a telephone number, Internet Protocol address, Internet Domain Name, and an electronic mail address (Fergusson et al., [0041] [0093 – 0096])

For claims 58 and 79, Fergusson et al. further discloses wherein the lists are contained within one or more tables of one or more databases (Fergusson et al., [0044] [0045]).

For claims 59 and 80, Fergusson et al. further discloses wherein the lists of prohibited destination identifiers are derived from any one or a combination of a Federal Do-Not-Call list, a State Do-Not-Call list, a DMA list, Wireless do-Not-Call list, a client internal list, and a Very Important Person list (Fergusson et al., [0044]).

For claims 60 and 81, Garfinkel further discloses wherein the lists of exempted destination identifiers are derived from any one or a combination of an Existing Business Relationship (EBR) exemption list, Do-Not-Call exemption lists, State Do-Not-Call exemption list, a VIP exemption list, and other exemption list (Garfinkel, column 6 lines 3 –11)

For claim 62, Garfinkel further discloses wherein the mediation rules comprise a sequence of comparisons made between a destination identifier and one or more lists of exempted and prohibited identifiers (Garfinkel, column 6 lines 12 – 49).

For claims 63 and 83, Garfinkel further discloses wherein each comparison with a list of exempted identifiers determines whether the comparison with an associated list or lists of prohibited destination identifiers is bypassed or ignored (Garfinkel, column 6 lines 31 – 41)

For claims 64 and 84, Garfinkel further discloses wherein the prohibited and exempted destination lists are capable of being modified from the origin (Garfinkel, column 7 lines 36 – 52).

For claims 65 and 85, Garfinkel further discloses wherein the prohibited and exempted destination lists are capable of being modified from a secondary interface (Garfinkel, column 8 lines 48 –66; column 9 lines 14 - 16).

For claims 67 and 87, Goodman further discloses wherein the analysis unit within a client computer remotely access the prohibited and exempted lists within a central administration facility (Goodman, [0032] [0040] [0042]).

For claims 68 and 88, Fergusson et al. further discloses a client computer that remotely sends a certified list of proposed destination identifiers to the analysis unit whereupon the analysis unit designates prohibited and allowed destination identifiers and sends a designation list to the client computer (Fergusson et al., [0083]).

For claims 69 and 89, Fergusson et al. further discloses wherein prohibited and exempted destination lists may be dynamically added or removed and the mediation rules updated to flexibly adapt the system to continuously support new connection prohibition rules. (Fergusson et al., [0044] [0052]).

For claims 70 and 90, Fergusson et al. further discloses wherein the analysis unit, based on the mediation rules, uses additional client and customer information to designate a prohibited or allowed communications connection (Fergusson et al., [0055]).

For claims 71 and 91, Fergusson et al. further discloses wherein the information includes any one or combination of a client user identifier, client identifier, customer identifier, product identifier, client office identifier, geographic area, date, time, exemption type duration, origin identifier, internal client criteria, and internal customer criteria (Fergusson et al., [0055] [0083]).

For claims 72 and 92, Fergusson et al. further discloses wherein logs of prohibited, allowed, and improper destination identifiers or a combination thereof are generated (Fergusson et al., [0110]).

For claims 73 and 93, Fergusson et al. discloses the claimed invention above and further discloses wherein the interface unit is any one of a World Wide Web page, a ftp server, an database connection, a remote terminal connection, and Interactive Voice Response connection (Fergusson et al., ,World Wide Web, [0036] [0083]).

For claims 101 and 102, Goodman further discloses wherein the mediation rules are specific to a particular client (Goodman, [0028] [0040] [0042]).

6.   Claim 95 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garfinkel (US 6,330,317) in view of Bruno et al. (US 5,499,289), and further in view of Fotta (US 6,130,937).

For claim 95, Garfinkel et al. discloses a method of selectively prohibiting a communications connection between an origin and destination in a telecommunications network, the origin having a user interface for a client agent, the destination having a destination telephone number, the method comprising: at the origin, establishing a communications connection with a connection unit (column 5 lines 5 -14); at the origin, prompting for the destination telephone number and entering the digits associated with a destination telephone number (providing a dial tone, column 5 lines 5 - 7); at the connection unit, sending the destination telephone number to the control unit (column 5 lines 18 - 23); retrieving client-specific mediation rules; prohibiting or allowing the communications connection based on the mediation rules, one or more prohibited

destination number lists, and one or more exempted destination number lists, by sending a

prohibit or allow order to the connection unit (column 5 lines 54 – column 6 line 49); at the

connection unit if the communications connection is allowed, establishing a connection between

the origin and destination (column 5 lines 29 - 34); at the connection unit if the communications

connection is prohibited, ending the communications connection with the origin or notifying the

client agent that the call is prohibited (column 5 lines 29 - 34).

Yet, Garfinkel et al. fails to teach the following: at the connection unit, interacting with a

control unit to validate the dialed number and, upon successful validation by the control unit,

prompting the client agent for identification and authentication information; at the origin,

entering the identification and authentication information; at the connection unit, interacting with

the control unit to validate the identification and authentication information and, upon successful

validation by the control unit, prompting for the destination telephone number; at the control

unit, verifying that the dialed area code of the destination telephone number is valid; and,

establishing a second communications connection with the destination and bridging the origin

communications connection to the destination communications connection to establish a

communications connection between origin and destination

However, Bruno et al. discloses a method for the purpose of processing outbound

telemarketing calls from remote agents including validating a number dialed by a remote agent

(LEC operates to recognize the data call as an 800 toll free call and in response to such

recognition, queries an 800 toll free call database system... *LEC switches the data call to the*

particular network carrier identified, column 6 lines 39 – 60) and prompting the remote agent

for identification and authentication information which is used to authorize the remote agent to

process outbound calls, wherein an outbound calling process which involves establishing a

second connection with a destination and bridging the origin communications connection to the

destination communications connection is repeated until a calling list has been exhausted

(Abstract; column 6 lines 15 – 44; column 8 lines 22 - 40, 56 - column 9 lines 5, 50 - 67; column

10 lines 1 – 7).

Additionally, Fotta discloses a system and method for the purpose of enforcing and

overriding consumer do-no-call requests comprising a control unit which verifies that the dialed

area code of the destination telephone number is valid (Abstract; column 9 lines 65 – column 10

line 12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the teachings of Garfinkel with the teachings of Bruno et al. and

Fotta so that the telemarketer disclosed above in Garfinkel (column 5 lines 5 – 8) is remote agent

that accesses an outbound calling system (Garfinkel, switch, Fig.2, 13-14; column 5 lines 5-14)

by dialing a 1-800 number. After the 1-800 number is validated by a communication unit

(Garfinkel, switch, Fig.2, 13-14; column 5 lines 5-14), the remote agent/telemarketer is prompted

to enter authentication and identification information which is validated by a control unit

(control computer, Fig.2, 26-27; column 5 lines 24- 27) for the purpose of providing secure

access to a call center which relies on remote agents as a way of controlling costs and improving

the call center's labor force (Bruno et al., column 1 lines 53 - 64). Furthermore, the control unit

(Garfinkel, control computer, Fig.2, 26-27; column 5 lines 24- 27) can verify that the dialed area

code of the received destination telephone number is valid, in addition to consulting lists to

determine whether to prohibit or allow a connection, before establishing a second connection to

destination to bridge the origin and destination for the purpose of enhancing the search

functionality disclosed above in Garfinkel which accesses state lists to retrieve prohibited

numbers.

For claim 96, Garfinkel further discloses wherein the mediation rules comprise a

sequence of comparisons made between a destination identifier and one or more lists of

exempted and prohibited identifiers; each comparison with a list of exempted identifiers

determining whether comparison with an associated list or lists of prohibited destination

identifiers is bypassed (Garfinkel, column 6 lines 12 – 49).

7.   Claim 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garfinkel (US

6,330,317) in view of Bruno et al. (US 5,499,289), and further in view of Fotta (US 6,130,937),

and further in view of Goodman (US 2005/0177599).

For claim 10, the combination of Garfinkel, Bruno et al., and Fotta fails to teach that the

mediation rules are specific to a particular client.

However, Goodman discloses an improved system and method for the purpose of

complying with anti-spam laws, rules, and regulations wherein preexisting business relationship

which are specific to a client are tracked by storing the time and date of a last communication

made by a potential message recipient, with the stored date and time being compared to a time

limit prescribed by anti-spam rules, laws, and regulations to determine if a recipient can receive a

new message from the sender even if the recipient is included on a do-not-send list (Abstract;

[0008] [0009] [0011] [0026 - 0029] [0031 - 0033] [0041]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to improve the method of determining compliance with anti-contact laws,

rules, and regulations disclosed above in the combination of Garfinkel, Bruno et al., and Fotta by

applying the teachings of Goodman so that a date and time of the last contact made by a potential

contact recipient is stored with the recipient's entry in database, wherein this recipient's entry can

be associated with an exemption list and the date and time of previous contact is compared to a

predefined time limit to determine if the preexisting relationship is valid for the purpose of

providing more specific mediation rules for a client while reducing the potential costs to business

for violating these mandated anti- contact laws, rules, and regulations (Goodman, [0005]).

Response to Arguments

8.   Applicant's arguments with respect to claims 1 – 11, 13 – 18, 20 – 37, 39 – 43, 45 – 52,

97, 99, and 100 have been considered but are moot in view of the new ground(s) of rejection.

9.   Applicant's arguments, see Remarks, filed 12/16/2010, with respect to the rejection(s) of

claim(s) 95 and 96 have been fully considered and are persuasive. Therefore, the rejection has

been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SONIA GAY whose telephone number is (571)270-1951. The

examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sonia Gay/
Examiner, Art Unit 2614
March 7, 2011

/Rasha S AL-Aubaidi/
Primary Examiner, Art Unit 2614